

THE HONORABLE JAMES L. ROBART

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,	)	
	)	Case No. 2:12-cv-01282-JLR
Plaintiff,	)	
	)	<b>DECLARATION OF</b>
v.	)	<b>BEN NOBLE</b>
	)	
CITY OF SEATTLE,	)	
	)	
Defendant.	)	
_____	)	

I, Ben Noble, being familiar with the facts set forth herein based on my personal knowledge, and being competent to testify, hereby declare under penalty of perjury that the following is true and correct:

1. I am the Director of the City of Seattle Budget Office. My responsibilities include developing and monitoring the City's annual budget, carrying out budget-related functions, and overseeing fiscal policy and financial planning activities.

**Impacts of COVID-19 On City Budget and Operations**

2. The unprecedented public health emergency caused by the COVID-19 pandemic has placed an extraordinary burden on the City. The City must devote a significant share of its

1 limited resources—both human and financial—to address a myriad of urgent issues in order to protect  
2 the public health and safety of its residents.

3         3.         Since the Mayor declared a Proclamation of Civil Emergency on March 3, 2020,  
4 the City has been working rapidly to assist those most impacted and vulnerable residents by  
5 helping people buy food and groceries, distributing grants to small businesses, funding emergency  
6 child-care services, and providing shelters for our homeless population. To date, the City has spent  
7 an estimated \$22 million on new COVID-19 response efforts, and the City expects to spend at  
8 least \$100 million more in the coming weeks and months on COVID-19 related expenditures and  
9 relief. The Mayor has issued six Emergency Orders in the last two and a half months to respond to  
10 these various challenges and directed unprecedented resources to helping the City's residents  
11 combat this pandemic.

12         4.         The City has activated its Emergency Operations Center and most departments are  
13 operating under its emergency Continuity of Operations Plan. Under this plan, Seattle police  
14 officers, firefighters, and medics are essential employees on the frontlines of combating the public  
15 health emergency. Of the 2,000 SPD employees, approximately 236 employees are on COVID-19  
16 related leave. The City's approximately 13,000 total employees have had to quickly adapt to  
17 teleworking (60 percent) in addition to the essential employees (20 percent) who are working on  
18 priority essential work and report to work onsite. The remaining members of the City workforce  
19 are being redeployed to support the City's essential functions or are on COVID-19 related leave,  
20 which includes employees who cannot work due to facility closure or those deemed to be high-  
21 risk, vulnerable, immune compromised per CDC guidance, and/or have been exposed to COVID-  
22 19. This reduced workforce comes at a time when demands on City services are greater than ever.

1           5.       In addition, the unexpected shutdown of the local economy has created great  
2       uncertainty about the City's finances. The City anticipates a 2020 revenue shortfall of between  
3       \$210 million and \$300 million, with a significant risk of an even greater impact. Moreover, the  
4       City is entering a period of sustained and severe fiscal difficulty. Revenues are not expected to  
5       recover to pre-crisis levels for several years.

6           6.       In response, the City has put in place stringent measures such as a hiring freeze and  
7       a moratorium on entering into new professional contracts in all areas that are not related to the  
8       COVID-19 response. All discretionary general fund spending has been put on hold, unless it is  
9       either related to the COVID-19 response or is potentially reimbursable by the state or federal  
10      government.

#### 11                               **Consent Decree-Related Expenses**

12          7.       Over the life of this Consent Decree, the City has invested over \$100 million in  
13      both required and complementary reforms, including the purchase and implementation of new  
14      technology platforms. The majority are one-time costs that will not be repeated. These costs  
15      include establishing a new bureau within the Seattle Police Department (SPD), the Professional  
16      Standards Bureau, responsible for compliance and internal accountability; re-training all officers  
17      on the reformed, Court-approved policies; designing a sophisticated data analytics platform to  
18      track policing outcomes; augmenting the role of OPA, and establishing the Community Police  
19      Commission and Office of the Inspector General.

20          8.       There are also recurring costs that the City will maintain after the Consent Decree  
21      ends in order to maintain standards of excellence and ensure constitutional policing. They include,  
22      for example, salary and benefits of personnel in the Professional Standards Bureau, maintenance  
23      of SPD's data analytics platform, the operating budget of the Community Police Commission, and

1 the operating budget of the Office of Inspector General for Public Safety. These costs will not end  
2 when the Consent Decree ends. In 2019, City expenditures on the independent police  
3 accountability system were \$4.2 million on OPA, \$1.7 million on OIG, and \$1.5 million on CPC.  
4 The City anticipates continued expenditures at similar levels (within current budget realities) to  
5 support the permanent ongoing costs for the robust civilian police accountability system.

6 9. In addition, over the life of the Consent Decree, the City has paid the Court-  
7 appointed Monitoring Team compensation of approximately one million dollars annually for a  
8 total of \$7.9 million over the past seven and a half years. After the City achieved full and effective  
9 compliance on January 10, 2018, the Monitor's expenditures remained steady throughout the two-  
10 year Sustainment Period. Concluding the monitoring activities related to the Sustainment Plan  
11 areas would allow the City to reallocate critical resources at a time of fiscal difficulty.

12  
13 I declare under penalty of perjury that the foregoing is true and correct.

14 DATED this 6th day of May, 2020 at Seattle, King County, Washington.

15  
16 

17 \_\_\_\_\_  
18 BEN NOBLE  
19  
20  
21  
22  
23

**CERTIFICATE OF SERVICE**

I hereby certify that on May 7, 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Brian T. Moran	<a href="mailto:Brian.Moran@usdoj.gov">Brian.Moran@usdoj.gov</a>
Christina Fogg	<a href="mailto:Christina.Fogg@usdoj.gov">Christina.Fogg@usdoj.gov</a>
Matt Waldrop	<a href="mailto:james.waldrop@usdoj.gov">james.waldrop@usdoj.gov</a>
Kerry Jane Keefe	<a href="mailto:kerry.keefe@usdoj.gov">kerry.keefe@usdoj.gov</a>
Peter Samuel Holmes	<a href="mailto:peter.holmes@seattle.gov">peter.holmes@seattle.gov</a>
Jeff Murray	<a href="mailto:jeff.murray@usdoj.gov">jeff.murray@usdoj.gov</a>
Ronald R. Ward	<a href="mailto:Ron@wardsmithlaw.com">Ron@wardsmithlaw.com</a>
Timothy D. Mygatt	<a href="mailto:timothy.mygatt@usdoj.gov">timothy.mygatt@usdoj.gov</a>
Gary T. Smith	<a href="mailto:gary.smith@seattle.gov">gary.smith@seattle.gov</a>
Hillary H. McClure	<a href="mailto:hillarym@vjmlaw.com">hillarym@vjmlaw.com</a>
Kristina M. Detwiler	<a href="mailto:kdetwiler@unionattorneysnw.com">kdetwiler@unionattorneysnw.com</a>
David A. Perez	<a href="mailto:dperez@perkinscoie.com">dperez@perkinscoie.com</a>
Anna Thompson	<a href="mailto:annathompson@perkinscoie.com">annathompson@perkinscoie.com</a>
Merrick Bobb	<a href="mailto:mbobb@pacbell.net">mbobb@pacbell.net</a>
Bruce E.H. Johnson	<a href="mailto:brucejohnson@dwt.com">brucejohnson@dwt.com</a>
Eric M. Stahl	<a href="mailto:ericstahl@dwt.com">ericstahl@dwt.com</a>

DATED this 7th day of May, 2020, at Seattle, King County, Washington.

s/ Kerala T. Cowart  
Kerala T. Cowart, WSBA #53649  
Assistant City Attorney  
E-mail: [kerala.cowart@seattle.gov](mailto:kerala.cowart@seattle.gov)